

## IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

IN THE MATTER OF THE	)	No. 63650-2-I
PERSONAL RESTRAINT OF:	)	
	)	DIVISION ONE
ROBERT JOSEPH LUMPKIN,	)	
	)	UNPUBLISHED OPINION
Petitioner.	)	
	)	FILED: August 24, 2009

PER CURIAM. Robert Joseph Lumpkin filed a personal restraint petition challenging the Kent Municipal Court's calculation of his anticipated release date for his sentence for several gross misdemeanor offenses, contending it was based on an erroneous determination that his sentence would run consecutively to his sentence on a particular, unrelated King County, felony matter. The Kent Municipal Prosecutor now correctly concedes that petitioner is entitled to recalculation and acceleration of his release date in light of petitioner's felony sentence in King Co. No. 08-1-00463-1, which followed his Kent misdemeanor sentences and expressly directed that the felony sentence would run concurrently with the Kent Municipal Court sentence at issue. The personal restraint petition is accordingly granted and the case remanded to the Kent Municipal Court for recalculation of petitioner's release date as soon as practicable.

For the court:

Dwyer, A.C.J.

Schneider, C.J.

Leach, J.